

reason that the statement, "Powerfully Antiseptic", borne on the carton and bottle labels, and the statements, "Powerfully Antiseptic Directions For Using. Insert the glass barrel of the syringe in the bottle and then withdraw the plunger, thus sucking the fluid into the barrel", "Powerfully Antiseptic \* \* \* Directions For Using. Fill the syringe by inserting the glass barrel in the bottle and pulling the plunger up until the required amount of the fluid has been drawn in", borne on the leaflets, were false and misleading, since the article was not powerfully antiseptic when used as directed.

On May 21, 1934, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22598. Adulteration of ether. U. S. v. 123 Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 28498. Sample no. 2306-A.)**

Analyses of samples of ether from the shipment involved in this case showed that peroxide, a decomposition product, was present in 8 of the 20 cans examined.

On August 2, 1932, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 123 quarter-pound cans of ether at Amarillo, Tex., alleging that the article had been shipped in interstate commerce, on or about September 10, 1931, by Mallinckrodt Chemical Works, from St. Louis, Mo., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Ether for Anesthesia."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength as determined by the test laid down in the said pharmacopoeia, and its own standard was not stated on the label.

On May 29, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22599. Adulteration and misbranding of white camphor liniment; and misbranding of Standard's Compound Milk of Magnesia, Standard's Compound Epsom Salt Tablets, syrup of wild cherry, flaxseed and menthol, compound white pine and tar cough syrup, compound boric acid powder, and oil of wintergreen. U. S. v. 11 Bottles of Standard's Compound Milk of Magnesia, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. nos. 31620 to 31626, incl. Sample nos. 43965-A, 43968-A, 51755-A, 51756-A, 51757-A, 51761-A, 51768-A.)**

This case involved interstate shipments of various drug preparations. With the exception of the Epsom salt tablets the labels of the articles contained unwarranted curative and therapeutic claims. The Epsom salt tablets contained an extract of a laxative plant drug which would produce their principal therapeutic action, rather than the relatively small amount of Epsom salt present; the syrup of wild cherry, flaxseed and menthol, the compound white pine and tar cough syrup, and the camphor liniment contained physiologically active constituents other than those indicated by the designations; the camphor liniment was sold under a name recognized in the United States Pharmacopoeia, and differing from the standard established by that authority; the syrup of wild cherry, flaxseed and menthol contained undeclared alcohol; and the compound boric acid powder was represented to be a compound and to be an antiseptic wash, whereas it contained no ingredient except boric acid, and was not antiseptic.

On November 25, 1933, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure of various pharmaceuticals at Syracuse, N. Y., alleging that the articles had been shipped in interstate commerce on or about September 15, and 30, 1933, by the Connecticut Chemical & Disinfectant Co., from New Haven, Conn., and charging adulteration and misbranding of the camphor liniment and misbranding of the remaining products in violation of the Food and Drugs Act as amended. The articles were labeled in part: "Standard's Compound Milk of Magnesia \* \* \* Standard Pharmaceutical Co., New York City"; "Standard's Compound Epsom Salt Tablets"; "Syrup of Wild Cherry, Flaxseed and Menthol"; "White Camphor Liniment";

ment \* \* \* [bottle] Conn. Chemical Co., New Haven, Conn. [carton] Standard Pharmacal Co., New York City"; "Compound White Pine and Tar Cough Syrup"; "Compound Boric Acid Powder"; "Oil of Wintergreen \* \* \* Standard Pharmacal Co., New York City."

Analyses of samples of the articles by this Department showed that Standard's Compound Milk of Magnesia consisted essentially of magnesium hydroxide (8 percent), bismuth hydroxide (0.7 percent), and water; the compound Epsom salt tablets consisted of an extract of a laxative plant drug, magnesium sulphate (Epsom salt, 5 grains per tablet), calcium carbonate, and sugar; the syrup of wild cherry, flaxseed and menthol consisted essentially of ammonium chloride (1.5 g per 100 cc), a benzoate, extracts of plant material, including wild cherry, menthol, chloroform, alcohol (4.5 percent by volume), sugar, and water; the white camphor liniment consisted essentially of turpentine oil, camphor, chloroform, ammonia, soap, and water; the compound white pine and tar cough syrup consisted essentially of ammonium chloride (1.5 g per 100 cc), tar, extracts of plant drugs, chloroform, alcohol, sugar, and water; the compound boric acid powder consisted of boric acid; and the oil of wintergreen consisted essentially of methyl salicylate. Bacteriological tests of the compound boric acid powder showed that it would not constitute an antiseptic wash.

It was alleged in the libel that the camphor liniment was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity prescribed by that authority and its own standard of strength, quality, and purity was not stated on the label.

Misbranding of the camphor liniment was alleged for the reason that the designation "Camphor Liniment" was false and misleading since it contained physiologically active ingredients other than camphor.

Misbranding of the Epsom salt tablets was alleged for the reason that the statements on the label, "Standard's Compound Epsom Salt Tablets to be used in Place of Disagreeable Epsom Salts", were false and misleading in view of the actual composition of the article since it consisted essentially of an extract of a laxative plant drug, Epsom salt (5 grains per tablet), calcium carbonate, and water.

Misbranding of the syrup of wild cherry, flaxseed and menthol was alleged for the reason that the designation of the product was false and misleading since the article contained physiologically active constituents other than menthol and those derived from wild cherry and flaxseed; and for the further reason that the package failed to bear on the label a statement of the quantity or proportion of alcohol contained in the article.

Misbranding of the compound white pine and tar cough syrup was alleged for the reason that the designation of the article was false and misleading since it contained physiologically active constituents other than white pine and tar.

Misbranding of the compound boric acid powder was alleged for the reason that the statement on the label, "as an antiseptic wash", was false and misleading since a solution of the product was not antiseptic; and in that the statement on the label, "Compound Boric Acid Powder", was false and misleading since the article contained no ingredient except boric acid.

Misbranding of certain of the products was alleged for the further reason that the following statements on the labels regarding the curative or therapeutic effects of the articles were false and fraudulent: (Milk of magnesia, label) "Used to correct acidity of the stomach and of the secretions of the mouth, thus preventing decay of the teeth"; (syrup of wild cherry, flaxseed, and menthol, bottle) "Helpful in relieving coughs, hoarseness, and other irritated and inflamed bronchial conditions. For adults, 1 teaspoonful every 3 or 4 hours; for children 12 years old,  $\frac{3}{4}$  teaspoonful; 8 years old,  $\frac{1}{2}$  teaspoonful; infants, 5 to 10 drops"; (carton) "Helpful in Relieving Coughs, Hoarseness Irritated and Inflamed Bronchial Conditions"; (white camphor liniment, bottle) "To be used externally to relieve pain by applying freely to the affected parts and rubbing for a few minutes. Recommended for Rheumatism"; (carton) "Useful in cases of \* \* \* Rheumatism"; (compound white pine and tar cough syrup, bottle and carton) "For Acute and Chronic Affections of The Throat and Lungs, \* \* \* Coughs, \* \* \* and Whooping Cough"; (bottle label only) "Directions For Adults, one teaspoonful every 3 or 4 hours; for children 12 years old, two-third teaspoonful; Infants 5 to 10 drops"; (compound boric acid powder, label) "Wash for ulcers and abscesses \* \* \*

widely used \* \* \* in inflammations of mucous membranes"; (oil of wintergreen) "Used in various forms of rheumatism Apply locally."

On March 14, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22600. Misbranding of Blis-To-Sol. U. S. v. 57 Bottles of Blis-To-Sol. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31673. Sample no. 39391-A.)**

Examination of the drug product involved in this case showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling; also that the label failed to declare the alcohol present in the article.

On or about December 7, 1933, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 57 bottles of Blis-To-Sol at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce, on or about October 19, 1933, by the Blis-To-Sol Co., from Fitzgerald, Ga., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of salicylic acid (7.4 g per 100 ml), boric acid (1 g per 100 ml), alcohol (61 percent by volume), acetone (4.9 g per 100 ml), methyl salicylate, glycerin, and water, colored with a yellow dye.

It was alleged in the libel that the article was misbranded in that the package failed to bear upon its label a statement of the quantity or proportion of alcohol contained in the article. Misbranding was alleged for the further reason that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent: (Carton) "For \* \* \* Tetter Eczema \* \* \* and other parasitic skin diseases \* \* \* The diseased skin will scarf off \* \* \* Blistering feet \* \* \* For Tetter—Eczema \* \* \* For the Skin diseases known as \* \* \* also tetter, eczema"; (bottle) "For \* \* \* Tetter Eczema \* \* \* and other parasitic skin diseases. \* \* \* After three or four days the diseased skin will scarf off \* \* \* for the skin diseases known as \* \* \* Also tetter, eczema"; (circular) "Relieves hand tetter in 4 days \* \* \* relieves eczema in 3 days \* \* \* a most reliable remedy for \* \* \* Eczema and Tetter. \* \* \* It readily penetrates into the skin and kills the parasite \* \* \* for \* \* \* eczema \* \* \* for \* \* \* tetter, eczema \* \* \* its effect upon the skin \* \* \* when a person has an itching skin caused from eczema \* \* \* Blistering feet \* \* \* the healing element seems to sink through the pores of the skin; the powerful antiseptic kills the disease germ and after a few applications you can remove the diseased skin, leaving a clean healthy skin. \* \* \* skin sufferers \* \* \* For \* \* \* Blistering and Aching feet. \* \* \* After about five to six applications the diseased skin will scarf off. \* \* \* For Eczema \* \* \* For Sores \* \* \* around the edges of the sores \* \* \* If around the sores should small red pimples appear, be sure to apply full strength to these pimples. This will prevent them from making sores; it kills the infection. \* \* \* it is very valuable for \* \* \* boils \* \* \* for Itching Piles."

On May 18, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22601. Misbranding of Kelfood. U. S. v. 71 Small Bottles, et al., of Kelfood. Default decree of destruction. (F. & D. no. 31796. Sample no. 61379-A.)**

Examination of a sample of Kelfood showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. The labeling was further objectionable since the article was represented to consist exclusively of products derived from the sea, whereas it contained ingredients derived from other sources.

On December 30, 1933, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the district court